

2004-05-06-07

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 163

WEDNESDAY, 28 MARCH 2007

1 The House met, at 9 a.m., pursuant to adjournment. The Speaker (the Honourable David Hawker) took the Chair, and read Prayers.

2 LIQUID FUEL EMERGENCY AMENDMENT BILL 2007

Mr Baldwin (Parliamentary Secretary to the Minister for Industry, Tourism and Resources), for Mr Macfarlane (Minister for Industry, Tourism and Resources), pursuant to notice, presented a Bill for an Act to amend the *Liquid Fuel Emergency Act 1984*, and for related purposes.

Document

Mr Baldwin presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Baldwin moved—That the bill be now read a second time.

Debate adjourned (Mr Emerson), and the resumption of the debate made an order of the day for the next sitting.

3 GOVERNANCE REVIEW IMPLEMENTATION (SCIENCE RESEARCH AGENCIES) BILL 2007

Ms J. Bishop (Minister for Education, Science and Training), pursuant to notice, presented a Bill for an Act to amend the law relating to statutory agencies in the field of science research, and for related purposes.

Document

Ms J. Bishop presented an explanatory memorandum to the bill.

Bill read a first time.

Ms J. Bishop moved—That the bill be now read a second time.

Debate adjourned (Mr Emerson), and the resumption of the debate made an order of the day for the next sitting.

4 GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 2007

Mr Turnbull (Minister for the Environment and Water Resources), pursuant to notice, presented a Bill for an Act to amend the *Great Barrier Reef Marine Park Act 1975*, and for related purposes.

Document

Mr Turnbull presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Turnbull moved—That the bill be now read a second time.

Debate adjourned (Mr Emerson), and the resumption of the debate made an order of the day for the next sitting.

5 VETERANS' AFFAIRS LEGISLATION AMENDMENT (2007 MEASURES NO. 1) BILL 2007

Mr Billson (Minister for Veterans' Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to veterans' entitlements and military rehabilitation and compensation, and for other purposes.

Document

Mr Billson presented an explanatory memorandum to the bill.

Bill read a first time.

Mr Billson moved—That the bill be now read a second time.

Debate adjourned (Mr Emerson), and the resumption of the debate made an order of the day for the next sitting.

6 BROADCASTING LEGISLATION AMENDMENT (DIGITAL RADIO) BILL 2007

Mr Billson (Minister for Veterans' Affairs), pursuant to notice, presented a Bill for an Act to amend the law relating to broadcasting, and for other purposes.

Document

Mr Billson presented an explanatory memorandum to the following bills:

Broadcasting Legislation Amendment (Digital Radio) 2007.

Radio Licence Fees Amendment 2007.

Bill read a first time.

Mr Billson moved—That the bill be now read a second time.

Debate adjourned (Mr Emerson), and the resumption of the debate made an order of the day for the next sitting.

7 RADIO LICENCE FEES AMENDMENT BILL 2007

Mr Billson (Minister for Veterans' Affairs) presented a Bill for an Act to amend the *Radio Licence Fees Act 1964*, and for related purposes.

Mr Billson moved—That the bill be now read a second time.

Debate adjourned (Mr Emerson), and the resumption of the debate made an order of the day for the next sitting.

8 HIGHER EDUCATION LEGISLATION AMENDMENT (2007 MEASURES NO. 1) BILL 2007

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—*And on the amendment moved thereto by Mr S. F. Smith, viz.*—That all words after “That” be omitted with a view to substituting the following words: “whilst not declining to give the bill a second reading, the House notes that while assessing the quality and effectiveness of university research is a necessary and desirable public policy objective:

- (1) any initiative in this area must be robust, rigorous and support an open and transparent process of peer review;
- (2) as proposed by the Government, the Research Quality Framework (RQF) is likely to constitute a disincentive to undertake long-term, basic research;
- (3) the university sector has assessed that the RQF would reduce research links with industry and lessen collegiate efforts among researchers and academics from different universities;
- (4) essential aspects and details of the scheme are yet to be worked out, so that implementation for 2008 is in serious doubt;
- (5) the cost and other resources involved in the assessment and reporting processes mean that the Government's proposed RQF risks preventing breakthrough research from occurring by being overly bureaucratic for too little year on year return; and
- (6) the RQF measures and processes as set out in the bill should not be proceeded with, and should be replaced by a model that is fair, equitable, tailored to different disciplines and international best practice”—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

The House divided (the Deputy Speaker, Mr Jenkins, in the Chair)—

AYES, 77

Mr Anderson	Mr Entsch	Mrs D. M. Kelly	Mr Scott
Mr Andrews	Mr Farmer	Jackie Kelly	Mr Secker
Fran Bailey	Mr Fawcett	Mr Laming	Mr Slipper
Mr Baird	Mr M. D. Ferguson	Mrs Ley	Mr A. D. H. Smith
Mr Baker	Mr Forrest	Mr Lindsay	Mr Somlyay
Mr Baldwin	Ms Gambaro	Mr McArthur*	Dr Southcott
Mr Barresi	Mrs Gash	Mr Macfarlane	Dr Stone
Mr Bartlett	Mr Georgiou	Mr McGauran	Mr C. P. Thompson
Mr Billson	Mr Haase	Mrs Markus	Mr Ticehurst
Mrs B. K. Bishop	Mr Hardgrave	Mrs May	Mr Tollner
Ms J. Bishop	Mr Hartsuyker	Mrs Mirabella	Mr Truss
Mr Broadbent	Mr Henry	Mr Nairn	Mr Tuckey
Mr Cadman	Mr Hockey	Dr Nelson	Mr Turnbull
Mr Causley	Mrs Hull*	Mr Neville	Mrs D. S. Vale
Mr Ciobo	Mr Hunt	Mr Pearce	Mr Vasta
Mr Cobb	Dr Jensen	Mr Prosser	Mr Wakelin
Mr Downer	Mr Johnson	Mr Randall	Dr Washer
Mrs Draper	Mr Jull	Mr Richardson	
Mr Dutton	Mr Katter	Mr Robb	
Mrs Elson	Mr Keenan	Mr Schultz	

NOES, 51

Mr Adams	Mr Emerson	Mrs Irwin	Ms Plibersek
Mr Albanese	Mr L. D. T. Ferguson	Mr Kerr	Mr Price
Ms Bird	Mr M. J. Ferguson	Ms King	Mr Quick
Mr Bowen	Mr Georganas	Dr Lawrence	Mr Ripoll
Mr A. S. Burke	Ms George	Ms Livermore	Ms Roxon
Mr Byrne	Mr Gibbons	Mr McClelland	Mr Sawford
Ms Corcoran	Ms Gillard	Ms Macklin	Mr Sercombe
Mr Crean	Ms Grierson	Mr McMullan	Mr S. F. Smith
Mr Danby*	Mr Griffin	Mr Melham	Mr Snowdon
Mr Edwards	Ms Hall*	Mr Murphy	Mr Tanner
Mrs Elliot	Mr Hatton	Mr B. P. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Mr G. M. O'Connor	Mr Wilkie
Ms K. M. Ellis	Ms Hoare	Ms Owens	

* Tellers

And so it was resolved in the affirmative.

Question—That the bill be now read a second time—put and passed—bill read a second time.

Message from the Governor-General

Message No. 263, 28 February 2007, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Consideration in detail

Bill, by leave, taken as a whole.

Document

Mr Farmer (Parliamentary Secretary to the Minister for Education, Science and Training) presented a supplementary explanatory memorandum to the bill.

On the motion of Mr Farmer, by leave, Government amendments (1) and (2) were made together, after debate.

Bill, as amended, agreed to.

Consideration in detail concluded.

On the motion of Mr Farmer, by leave, the bill was read a third time.

9 PRIMARY INDUSTRIES AND ENERGY RESEARCH AND DEVELOPMENT AMENDMENT BILL 2007

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mrs Ley (Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry), the bill was read a third time.

10 GOVERNANCE REVIEW IMPLEMENTATION (TREASURY PORTFOLIO AGENCIES) BILL 2007

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

It being 2 p.m., the debate was interrupted in accordance with standing order 97, and the resumption of the debate made an order of the day for a later hour this day.

11 MINISTERIAL ARRANGEMENTS

Mr Howard (Prime Minister) informed the House that, during the absence overseas of Mr Abbott (Minister for Health and Ageing), Mr Pyne (Minister for Ageing) would answer questions on his behalf.

12 QUESTIONS

Questions without notice were asked.

13 DOCUMENTS

The following documents were presented:

Gene Technology Regulator—Quarterly report for the period 1 October to 31 December 2006.

Migration Act—Statement under section 46A—22 March 2007.

National Health and Medical Research Council Act—National Health and Medical Research Council—Guidelines—National Statement on ethical conduct in human research—March 2007.

Treaties—List of multilateral treaty actions under negotiation, consideration or review by the Australian Government as at March 2007.

14 DOCUMENTS—MOTION TO TAKE NOTE OF DOCUMENTS

Mr McGauran (Acting Leader of the House) moved—That the House take note of the following documents:

Gene Technology Regulator—Quarterly report for the period 1 October to 31 December 2006.

Migration Act—Statement under section 46A—22 March 2007.

National Health and Medical Research Council Act—National Health and Medical Research Council—Guidelines—National Statement on ethical conduct in human research—March 2007.

Debate adjourned (Mr Albanese), and the resumption of each debate made an order of the day for the next sitting.

15 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—CLIMATE CHANGE

The House was informed that Mr Garrett had proposed that a definite matter of public importance be submitted to the House for discussion, namely, “The failure of the Government to take action to avoid dangerous climate change by refusing to ratify the Kyoto Protocol, establish a national emissions trading scheme and cut Australia’s greenhouse pollution by 60 percent by 2050”.

The proposed discussion having received the necessary support—

Mr Garrett addressed the House.

Discussion ensued.

The time allotted under sessional order No. 1 having expired, the discussion was interrupted.

16 PUBLIC WORKS—PARLIAMENTARY STANDING COMMITTEE—REPORT—STATEMENT BY MEMBER

Mr B. P. O'Connor (Deputy Chair) presented the following document:

Public Works—Parliamentary Standing Committee—Report—Redevelopment of propellant manufacturing and other specified capabilities at Mulwala, NSW (First report of 2007).

Ordered to be made a Parliamentary Paper.

Mr B. P. O'Connor, by leave, made a statement in connection with the report.

17 MESSAGE FROM THE SENATE

Message No. 496, 27 March 2007, from the Senate was reported informing the House that Senator Ludwig had been discharged from attendance on the Parliamentary Joint Committee on the Australian Crime Commission, and Senator Bishop had been appointed a member of the committee.

18 SUSPENSION OF STANDING AND SESSIONAL ORDERS—PRIVATE MEMBER'S NOTICE

Mr McGauran (Acting Leader of the House), by leave, moved—That so much of the standing and sessional orders be suspended as would prevent notice No. 29, private Members' business, being called on immediately.

Question—put and passed.

19 TRADE PRACTICES (HORTICULTURE CODE OF CONDUCT) REGULATIONS 2006, AS CONTAINED IN SELECT LEGISLATIVE INSTRUMENT 2006 NO. 376—MOTION FOR DISALLOWANCE

Mr Katter, pursuant to notice, moved—That the *Trade Practices (Horticultural Code of Conduct) Regulations 2006*, made under the *Trade Practices Act 1974*, as contained in Select Legislative Instrument 2006 No. 376, be disallowed.

Debate ensued.

Question—put.

The House divided and only Mr Andren, Mr Katter and Mr Windsor voting "Yes", the Deputy Speaker (Mr Hatton) declared the question resolved in the negative.

20 NATIVE TITLE AMENDMENT BILL 2006—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Ruddock (Attorney-General), the amendments were agreed to, after debate.

21 ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING AMENDMENT BILL 2007—SENATE'S AMENDMENTS

The order of the day having been read for the consideration of the amendments made by the Senate—

On the motion of Mr Ruddock (Attorney-General), the amendments were agreed to, after debate.

22 MESSAGE FROM THE SENATE—AUSCHECK BILL 2006

Message No. 498, 27 March 2007, from the Senate was reported returning the AusCheck Bill 2006 with amendments.

Ordered—That the amendments be considered immediately.

On the motion of Mr Ruddock (Attorney-General), the amendments were agreed to, after debate.

Mr Bevis moved the Opposition amendment, relevant to the Senate amendments.

Debate continued.

Question—That the amendment be agreed to—put.

The House divided (the Deputy Speaker, Mr Hatton, in the Chair)—

AYES, 56

Mr Adams	Ms K. M. Ellis	Ms Hoare	Ms Owens
Mr Albanese	Mr Emerson	Mrs Irwin	Ms Plibersek
Mr Andren	Mr L. D. T. Ferguson	Mr Jenkins	Mr Price
Mr Beazley	Mr M. J. Ferguson	Mr Kerr	Mr Quick
Mr Bevis	Mr Fitzgibbon	Ms King	Mr Ripoll
Ms Bird	Mr Garrett	Dr Lawrence	Ms Roxon
Mr Bowen	Mr Georganas	Ms Livermore	Mr Sawford
Mr A. S. Burke	Ms George	Mr McClelland	Mr Sercombe
Mr Byrne	Mr Gibbons	Ms Macklin	Mr S. F. Smith
Ms Corcoran	Ms Gillard	Mr McMullan	Mr Snowdon
Mr Danby*	Ms Grierson	Mr Melham	Mr Tanner
Mr Edwards	Mr Griffin	Mr Murphy	Mr K. J. Thomson
Mrs Elliot	Ms Hall*	Mr B. P. O'Connor	Ms Vamvakinou
Ms A. L. Ellis	Mr Hayes	Mr G. M. O'Connor	Mr Wilkie

NOES, 79

Mr Anderson	Mr Dutton	Mr Katter	Mr Schultz
Mr Andrews	Mrs Elson	Mr Keenan	Mr Scott
Fran Bailey	Mr Entsch	Jackie Kelly	Mr Secker
Mr Baird	Mr Farmer	Mr Laming	Mr Slipper
Mr Baker	Mr Fawcett	Mr Lindsay	Mr A. D. H. Smith
Mr Baldwin	Mr M. D. Ferguson	Mr McArthur*	Mr Somlyay
Mr Barresi	Mr Forrest	Mr McGauran	Dr Southcott
Mr Bartlett	Ms Gambaro	Mrs Markus	Dr Stone
Mr Billson	Mrs Gash	Mrs May	Mr C. P. Thompson
Mrs B. K. Bishop	Mr Georgiou	Mrs Mirabella	Mr Ticehurst
Ms J. Bishop	Mr Haase	Mr Nairn	Mr Tollner
Mr Broadbent	Mr Hardgrave	Dr Nelson	Mr Truss
Mr Brough	Mr Hartsuyker	Mr Neville	Mr Tuckey
Mr Cadman	Mr Henry	Mr Pearce	Mrs D. S. Vale
Mr Causley	Mr Hockey	Mr Prosser	Mr Vasta
Mr Ciobo	Mrs Hull*	Mr Pyne	Mr Wakelin
Mr Cobb	Mr Hunt	Mr Randall	Dr Washer
Mr Costello	Dr Jensen	Mr Richardson	Mr Windsor
Mr Downer	Mr Johnson	Mr Robb	Mr Wood
Mrs Draper	Mr Jull	Mr Ruddock	

* Tellers

And so it was negatived.

23 MESSAGE FROM THE SENATE—SAFETY, REHABILITATION AND COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL 2006

Message No. 497, 27 March 2007, from the Senate was reported returning the Safety, Rehabilitation and Compensation and Other Legislation Amendment Bill 2006 with amendments.

Ordered—That the amendments be considered at the next sitting.

24 MESSAGE FROM THE SENATE—TAX LAWS AMENDMENT (2006 MEASURES NO. 7) BILL 2006

Message No. 501, 28 March 2007, from the Senate was reported returning the Tax Laws Amendment (2006 Measures No. 7) Bill 2006 with an amendment.

Ordered—That the amendment be considered at the next sitting.

25 MESSAGE FROM THE SENATE—AIRPORTS AMENDMENT BILL 2006

Message No. 499, 28 March 2007, from the Senate was reported returning the Airports Amendment Bill 2006 with amendments.

Ordered—That the amendments be considered at the next sitting.

26 MESSAGE FROM THE SENATE

Message No. 500, 28 March 2007, from the Senate was reported returning the Tax Laws Amendment (2007 Measures No. 1) Bill 2007 without amendment.

27 GOVERNANCE REVIEW IMPLEMENTATION (TREASURY PORTFOLIO AGENCIES) BILL 2007

The order of the day having been read for the resumption of the debate on the question—That the bill be now read a second time—

Debate resumed.

Question—put and passed—bill read a second time.

Message from the Governor-General

Message No. 264, 7 March 2007, from His Excellency the Governor-General was announced recommending an appropriation for the purposes of the bill.

Leave granted for third reading to be moved immediately.

On the motion of Mr Pearce (Parliamentary Secretary to the Treasurer), the bill was read a third time.

28 BANKRUPTCY LEGISLATION AMENDMENT (SUPERANNUATION CONTRIBUTIONS) BILL 2006

The order of the day having been read for the second reading—

Document

Mr Nairn (Special Minister of State) presented an explanatory memorandum to the bill.

Mr Nairn moved—That the bill be now read a second time.

Debate ensued.

Question—put and passed—bill read a second time.

Leave granted for third reading to be moved immediately.

On the motion of Mr Nairn (Special Minister of State), the bill was read a third time.

29 ADJOURNMENT

It being 7.30 p.m.—The question was proposed—That the House do now adjourn.

Debate ensued.

The House continuing to sit until 8 p.m.—The Speaker adjourned the House until tomorrow at 9 a.m.

DOCUMENTS

The following documents were deemed to have been presented on 28 March 2007:

Christmas Island Act—List of Western Australian Acts for the period 2 September 2006 to 15 March 2007.

Civil Aviation Act—

Civil Aviation Safety Regulations—Airworthiness Directive—Part 39-105—28 February 2007 [F2007L00743].

Regulations—Select Legislative Instruments—2007 No. 41 [F2007L00794].

Cocos (Keeling) Islands Act—List of Western Australian Acts for the period 2 September 2006 to 15 March 2007.

Customs Act—Orders—

Tariff Concession—9 (10) March 2007 [F2007L00757], [F2007L00758], [F2007L00759], [F2007L00760], [F2007L00761], [F2007L00762], [F2007L00770], [F2007L00783], [F2007L00784], [F2007L00792].

Tariff Concession Revocation—16 March 2007 [F2007L00781].

Fisheries Management Act—Northern Prawn Fishery Management Plan 1995—Directions—2007—Nos NPF 101, NPF 102, NPF 107 [F2007L00666], [F2007L00768], [F2007L00776].

Higher Education Support Act—Guidelines—Higher education in external territories—21 March 2007 [F2007L00834].

Migration Act—Migration Regulations—Instrument—2007—Classes of persons who may make an internet application for a tourist visa—No. IMMI 07/009 [F2007L00706].

Trade Practices Act—Regulations—Select Legislative Instrument—2007 No. 45 [F2007L00708].

ATTENDANCE

All Members attended (at some time during the sitting) except Mr Abbott, Ms A. E. Burke, Mr Lloyd, Mrs Moylan and Mr M. A. J. Vaile.

I. C. HARRIS
Clerk of the House of Representatives

2004-05-06-07

HOUSE OF REPRESENTATIVES
SUPPLEMENT TO VOTES AND PROCEEDINGS

No. 163

MAIN COMMITTEE

MINUTES OF PROCEEDINGS

WEDNESDAY, 28 MARCH 2007

1 The Main Committee met at 9.30 a.m.

2 **MEMBERS' STATEMENTS**

Members' statements being made—

Suspension of meeting

At 10.18 a.m., a division having been called in the House, the proceedings were suspended.

Resumption of meeting

At 10.30 a.m., the proceedings were resumed.

Members' statements continued.

3 **ADJOURNMENT**

On the motion of Mr Neville, the Main Committee adjourned at 11.13 a.m.

The Deputy Speaker fixed 9.30 a.m. on Wednesday, 9 May 2007 for the next meeting of the Main Committee.

B. C. WRIGHT
Clerk of the Main Committee